

MEMORANDUM

Agenda Item No. 4(E)

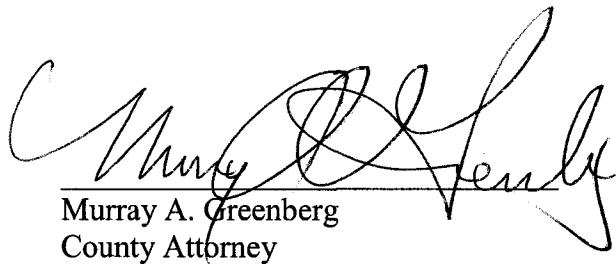
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 10, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance relating to
Rules of Procedure of
the Board of County
Commissioners

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(E)

10-10-06

ORDINANCE NO. _____

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, BY DELETING PROVISIONS PROVIDING THAT CHAIRPERSON AND VICE-CHAIRPERSON SHALL NOT SERVE FOR MORE THAN TWO CONSECUTIVE YEARS AND DELETING PROVISIONS PROVIDING THAT NO COMMISSIONER SHALL SERVE AS CHAIRPERSON OR VICE-CHAIRPERSON OF THE SAME COMMITTEE FOR MORE THAN TWO YEARS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Sec. 2-1. RULES OF PROCEDURE OF COUNTY COMMISSION.

PART 1. GOVERNING RULES

* * *

PART 2. OFFICERS

Rule 2.01 Chairperson and Vice-Chairperson.

(a) *Chairperson.*

(1) *Election, term~~[[, term limitation]]~~, and removal. A chairperson of the board of county commissioners shall be*

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

elected for a term of two (2) years by the vote of at least seven (7) commissioners at the commission meeting following the installation of the county commissioners during each even-numbered year. The chairperson's term shall commence on January 1 of the following year. The chairperson may be removed prior to the expiration of his or her term by the vote of nine (9) commissioners. ~~[[No commissioner shall serve as chairperson of the county commission for more than two consecutive years.]]~~

* * *

(b) *Vice-chairperson.*

- (1) *Election, term~~[[, term limitation]]~~ and removal.* A vice-chairperson of the board of county commissioners shall be elected for a term of two (2) years by the vote of at least seven (7) commissioners at the commission meeting following the installation of the county commissioners during each even-numbered year. The term of office for the vice-chairperson of the board shall commence on January 1 of the following year. The vice-chairperson may be removed prior to the expiration of his or her term by the vote of at least seven (7) commissioners. ~~[[No commissioner shall serve as vice chairperson of the county commission for more than two consecutive years.]]~~

* * *

PART 4. COMMITTEES

* * *

- (c) *Committee chairperson and vice-chairperson.* A chairperson and a vice-chairperson of each commission committee shall be appointed by the chairperson of the commission and shall continue in office at the pleasure of the chairperson of the commission. The chairperson of the commission shall also appoint a chairperson for each subcommittee authorized by these rules and may designate a vice-chairperson, both of whom shall continue in office at the pleasure of the chairperson of the commission. ~~[[No commissioner shall serve as chairperson or vice chairperson of the same committee for more than two consecutive years.]]~~ The committee chairperson shall set the order of items on the committee agenda for each committee meeting. The

chairperson shall preserve order and decorum and shall have general control of committee proceedings. If there is a disturbance or disorderly conduct during the committee meeting, the chairperson or vice-chairperson may require participants in the disturbance to clear the room. The vice-chairperson shall perform the duties of the chairperson in the absence of the chairperson. If the chairperson and vice-chairperson are absent, the committee may select one of its members to perform the duties of the chair for the meeting during which the chairperson and the vice-chairperson are absent.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Sponsored by Commissioner Bruno A. Barreiro

